

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA,

v.

OLGA HERNANDEZ,

Defendant.

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Crim. Action No. SA-17-CR-120-XR

ORDER

On this day came on to be considered the Government's Objections to Proposed Voir Dire Questions submitted by the Defendant.

In this case the Defendant has proposed 137 questions to be asked of the jury pool. The Government has filed objections to many of the questions, asserting that the proposed questions are either not relevant, incorrectly or only partially state the applicable law, or are confusing.

"[C]ounsel for the parties may pursue their examination with reasonable limits on time and scope of the subject matter." *United States v. Ledee*, 549 F.2d 990, 993 (5th Cir. 1977).

The Court agrees, in part, with the Government and sustains the objections to question nos. 19, 23, 24, 36, 37, 45, 46, 50, 54, 56, 57, 61, 74, 75, 76, 86, 88, 102, 103, 104, 110, 114, 121, 126, 127, and 133. The "trial court is not required to propound questions which are argumentative, cumulative or tangential." *Brundage v. United States*, 365 F.2d 616, 618 (10th Cir. 1966). "The purpose of the voir dire examination is to determine whether the veniremen are qualified, whether they have prejudged the case, and whether their minds are free from prejudice or bias so as to enable the parties to ascertain whether a cause for challenge exists and to

ascertain whether it is expedient to exercise the right of peremptory challenge.” *Kreuter v. United States*, 376 F.2d 654, 656–57 (10th Cir. 1967). Otherwise, the Government’s objections are overruled.

SIGNED this 7th day of December, 2017.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE